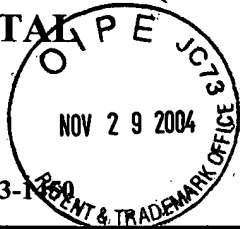


REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450



Application Number	10/787,433
Filing Date	February 26, 2004
First Named Inventor	Michael Wayne Johnson
Art Unit	3749
Examiner Name	Stephen Michael Gravini
Attorney Docket No.	11430.2157

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** NOTE: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed, unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-2442
- i. ☐ RCE fee required under 37 CFR 1.17(e) 11/30/2004 JADD01 00000073 10787433
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 OP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 790 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	David L. Principe	Registration No. (Attorney/Agent)	39,336
Signature		Date	November 24, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Janice Capuani	Date	November 24, 2004
Signature			

**FREE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent Fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)790

Application Number

10/787,433

Filing Date

February 26, 2004

First Named Inventor

Michael Wayne Johnson

Examiner Name

Stephen Michael Gravini

Group/Art Unit

3749

Attorney Docket Number

11430.2157

METHOD OF PAYMENT (check all that apply)						FEE CALCULATION (continued)					
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: <u>08-2442</u> Deposit Account Name: <u>Hodgson Russ LLP</u> The Director is hereby authorized to (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any fee deficiencies or credit any overpayments <input type="checkbox"/> Charge any additional fees during pendency of this application. <input type="checkbox"/> Charge fees indicated below, except for the filing fee to the above-identified deposit account						3. ADDITIONAL FEES					
						Large Entity		Small Entity			
Fee Code		Fee (\$)		Fee Code		Fee (\$)		Fee Description		Fee Paid	
1051		130		2051		65		Surcharge - late filing fee or oath		\$	
1052		50		2052		25		Surcharge - late provisional filing fee or cover sheet		\$	
1053		130		1053		130		Non-English specification		\$	
1812		2,520		1812		2,520		For filing a request for <i>ex parte</i> reexamination		\$	
1804		920*		1804		920*		Requesting Publication of SIR prior to Examiner Action		\$	
1805		1,840*		1805		1,840*		Requesting Publication of SIR after Examiner Action		\$	
1251		110		2251		55		Extension for reply within first month		\$	
1252		430		2252		215		Extension for reply within second month		\$	
1253		980		2253		490		Extension for reply within third month		\$	
1254		1,530		2254		765		Extension for reply within fourth month		\$	
1255		2,080		2255		1,040		Extension for reply within fifth month		\$	
1401		300		2401		150		Notice of Appeal		\$	
1402		340		2402		170		Filing a brief in support of an appeal		\$	
1403		300		2403		150		Request for oral hearing		\$	
1451		1,510		1451		1,510		Petition to institute a public use proceeding		\$	
1452		110		2452		55		Petition to revive - unavoidable		\$	
1453		1,370		2453		685		Petition to revive - unintentional		\$	
1501		1,370		2501		685		10 advance copies Utility issue fee (or reissue)		\$	
1502		490		2502		245		Design issue fee		\$	
1503		660		2503		330		Plant issue fee		\$	
1460		130		1460		130		Petitions to the Commissioner		\$	
1807		50		1807		50		Processing fee under 37 CFR 1.17(q)		\$	
1806		180		1806		180		Submission of Information Disclosure Statement		\$	
8021		40		8021		40		Recording each patent assignment per property (times number of properties)		\$	
1809		790		2809		395		Filing a submission after final rejection(37 CFR 1.129(a))		\$	
1810		790		2810		395		For each add'l invention to be examined(37 CFR 1.129(b))		\$	
1801		790		2801		395		Request For Continued Examination (RCE)		\$790	
1802		900		1802		900		Request for Expedited Examination of a design application		\$	
Other fee (specify)										\$	
*Reduced by basic filing fee paid								SUBTOTAL (3)		\$790	

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 24, 2004.Janice Capuani
NameJanice Capuani
SignatureNovember 24, 2004
Date of Signature

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